



Dated: May 28, 2013
The following is SO ORDERED:


David S. Kennedy
UNITED STATES CHIEF BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

IN RE: DANIEL MATTHEW CHERRY

DEBTOR,

Case No. 12-31007DSK

Chapter 7

BROOKFIELD PROPERTIES

CREDITOR,

ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

IN THIS CAUSE IT APPEARING to the Court that the Creditor, Brookfield Properties, sometimes hereinafter referred to as "Creditor", is a Creditor of the "Debtor" arising out of the Debtor's failure to discharge certain rental obligations pursuant to the terms of a certain lease entered into by the Debtor for the property located at 1223 S. Perkins, Memphis, TN 38117; and

IT FURTHER APPEARING TO THE COURT that the Debtor does not own said property or have any equity in said property and for good cause shown, the Creditor should be granted relief from the Automatic Stay provisions of 11 U.S.C. Section 362.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED BY THE COURT AS FOLLOWS:

1. That the Creditor is granted relief from the automatic stay pursuant to 11 U.S.C. Section 362 and the automatic stay is hereby lifted and vacated as to Brookfield Properties, and their successors and assigns pursuant to 11 U.S.C. Section 362(d) since the Debtor has no equity in the property and premises located at 1223 S. Perkins, Memphis, TN 38117 and the said Creditor is authorized to proceed with remedial action to repossess said property without further leave or order of this Court, including but not limited to the continuation and/or initiation of legal proceedings in State Court to obtain possession of the said premises and that as prayed for, any appeal period is waived.

Approved for entry:

/s/ Mark Cantora
Mark Cantora, Attorney
for Brookfield Properties,
Creditor
100 N. Main, #3020
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Service List:
Mark Cantora
Debtor's Attorney
Debtor
U.S. Trustee